

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application for:

DOI ET AL.

Application No.: 09/932,154

Filed: August 17, 2001

For: Mobile Electronic Device and
Covering for Similar Devices with
Ornament Attachment Mechanism

Examiner: Gary, Erika A

Art Group: 2685

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on this date: 08/07/2003

Typed or Printed: Heather L. Adamson

Signature: Heather L. Adamson Date: 08/07/2003

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

REQUEST TO CHANGE INVENTORSHIP UNDER 37 C.F.R. §1.48

Dear Sir:

Applicant respectfully submits the following request and accompanying documentation in accordance with 37 C.F.R. §1.48.

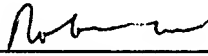
- (1) Applicant respectfully requests the Examiner enter, in the above-referenced patent application, the additional inventor listed on the enclosed executed Supplemental Combined Declaration and Power of Attorney pursuant to 37 C.F.R. §1.48(a). In addition, please find accompanying petition under 37 C.F.R. §1.47(a) in support of the Supplemental Combined Declaration and Power of Attorney due to a nonsigning inventor.
- (2) Enclosed is a statement from the inventor being added indicating that the mistake in initial inventorship was done without deceptive intent on their part.
- (3) Enclosed is a statement from the Assignee indicating written consent for the change in inventorship.

(4) Enclosed is a check for \$130.00 pursuant to 37 C.F.R. §1.17(i).

The Commissioner is hereby authorized to charge shortages or credit overpayments to Deposit Account No. 500393. A Fee Transmittal is enclosed in duplicate for fee processing purposes.

Respectfully submitted,
Schwabe, Williamson & Wyatt, P.C.

Dated: 7 Aug 03



Robert Watt
Registration No. 45,890

Pacwest Center, Suites 1600-1900
1211 SW Fifth Avenue
Portland, Oregon 97204
Telephone: 503-222-9981

COMBINED DECLARATION AND POWER OF ATTORNEY FOR A PATENT APPLICATION

INVENTORSHIP IDENTIFICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below, next to my name.

I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TITLE OF INVENTION

**MOBILE ELECTRONIC DEVICE AND COVERING FOR
SIMILAR DEVICES WITH ORNAMENT ATTACHMENT MECHANISM**

SPECIFICATION IDENTIFICATION

the specification of which

_____ is attached hereto.
X was filed on August 17, 2001 as
 United States Application _____ 09/932,154
 or PCT International Application Number _____
 and was amended on 10/03/02.
 (if applicable)

ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above.

I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

PRIORITY CLAIM (35 U.S.C. § 119(a)-(d))

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d), of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's

certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority
Claimed

_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	_____ Yes	_____ No
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	_____ Yes	_____ No
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	_____ Yes	_____ No

I hereby claim the benefit under title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below

_____ 60/292,123 (Application Number)	_____ 5/17/2001 (Filing Date)
_____ (Application Number)	_____ (Filing Date)

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

_____ (Application Number)	_____ (Filing Date)	_____ (Status - patented, pending, abandoned)
_____ (Application Number)	_____ (Filing Date)	_____ (Status - patented, pending, abandoned)

POWER OF ATTORNEY

I hereby appoint the Practitioners at Customer No. 000025943 as my patent attorney(s)/agent(s); with full power of substitution and revocation, to prosecute this application identified above, and to transact all business in the U.S. Patent and Trademark Office connected herewith.

Send correspondence to:

Direct telephone calls to:
(Name and telephone number)

SCHWABE, WILLIAMSON & WYATT,

Aloysius T.C. AuYeung

P.C.

503-222-9981

Pacwest Center, Suites 1600-1900

1211 SW Fifth Avenue

Portland, Oregon 97204

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

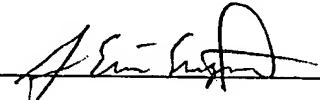
Full Name of Sole/First Inventor: Sayuri Doi

Inventor's Signature: _____	Date	_____
Residence	Citizenship	
: <u>Seattle, Washington</u>	p: <u>USA</u>	
(City, State)		(Country)

Post Office Address: 4021 42nd Avenue South
Seattle, Washington 98118

Full Name of Joint/Second Inventor:

G. Eric Engstrom

Inventor's Signature: 	Date	_____
Residence	Citizenship	
: <u>Kirkland, Washington</u>	p: <u>USA</u>	
(City, State)		(Country)

Post Office Address: 12415 Holmes Pt. Dr., NE
Kirkland, Washington 98033

Title 37, Code of Federal Regulations, Section 1.56
Duty to Disclose Information Material to Patentability

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

(1) Prior art cited in search reports of a foreign patent office in a counterpart application, and

(2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a *prima facie* case of unpatentability of a claim; or

(2) It refutes, or is inconsistent with, a position the applicant takes in:

(i) Opposing an argument of unpatentability relied on by the Office, or

(ii) Asserting an argument of patentability.

A *prima facie* case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

(1) Each inventor named in the application;

(2) Each attorney or agent who prepares or prosecutes the application; and

(3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

(e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

Attorney's Docket No. 108909-129575

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application for:

DOI ET AL.

Application No.: 09/932,154

Filed: August 17, 2001

For: Mobile Electronic Device and
Covering for Similar Devices with
Ornament Attachment Mechanism

Examiner: Gary, Erika A

Art Group: 2685

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450INVENTOR STATEMENT REGARDING INVENTORSHIP

I, G. Eric Engstrom, was not originally included as a co-inventor of the patent application titled "Mobile Electronic Device and Covering for Similar Devices with Ornament Attachment Mechanism," Application No. 09/932,154, filed August 17, 2001. This omission was not done with any deceptive intention on my part. Certain subject matter, originally disclosed in the specification as filed, was not claimed in the application as filed. In the amendment filed 03/19/2003, claims were added directed to this originally unclaimed material. This material claimed in the claims added by the 3/19/2003 amendment contains subject matter for which I am a co-inventor. Therefore, I hereby assert that I am a proper co-inventor of the aforementioned patent application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: 8/7/03, 2003
G. Eric Engstrom

Attorney's Docket No. 109909-129575

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application for:

DOI ET AL.

Application No.: 09/932,154

Filed: August 17, 2001

For: Mobile Electronic Device and
Covering for Similar Devices with
Ornament Attachment Mechanism

Examiner: Gary, Erika A

Art Group: 2685

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450**STATEMENT UNDER 37 CFR 3.73(b) AND ASSIGNEE'S WRITTEN CONSENT
PURSUANT TO 37 CFR 1.48(a)(5) FOR INVENTORSHIP CHANGE**

Dear Sir:

Wildseed, Ltd.

(Name of Assignee)

("Assignee"), a

Washington

(State of Incorporation)

corporation having a place of business at

550 Kirkland Way, First Floor, Kirkland, WA 98033

(Address of Assignee)

hereby certifies that, to the best of Assignee's knowledge and belief, Assignee is the assignee of the entire right, title, and interest in and to the above-referenced patent application and represents that the undersigned is a representative authorized and empowered to sign on behalf of Assignee.

A chain of title from the inventor(s), of the patent application identified above, to the Assignee is as shown below:

1. From: Sayuri Doi To: GITWIT, INC. The document was recorded in the U.S. Patent and Trademark Office at Reel 012096, Frame 0460.
2. From: GITWIT, Inc. To: Wildseed Ltd. The document was recorded in the U.S. Patent and Trademark Office at Reel 012793, Frame 0975.

3. From: G. Eric Engstrom To: Wildseed Ltd. The document has been submitted to the U.S. Patent and Trademark Office for recordation and a copy thereof is attached.

Assignee hereby grants written consent pursuant to 37 CFR 1.48(a)(5) to correct inventorship in the above-referenced patent application from Sayuri Doi, previously named as the sole inventor, to the correct joint inventorship, properly naming as inventors:

Sayuri Doi of Seattle, Washington;
G. Eric Engstrom of Kirkland, Washington.

Date: 8/7/03 Assignee: Wildseed, Ltd.

By:



Name:

G. Eric Engstrom

Title:

Chief Executive Officer

Address of Assignee:

550 Kirkland Way, First Floor
Kirkland, WA, 98033 USA

ASSIGNMENT
(For Execution After Filing Patent Application)

In consideration of good and valuable consideration, the receipt of which is hereby acknowledged that the undersigned,

ASSIGNOR(S) G. Eric Engstrom

:

hereby sell, assign, and transfer to

ASSIGNEE: Wildseed, Ltd.
550 Kirkland Way, First Floor
Kirkland, Washington 98033

and its successors, assigns, and legal representatives, the entire right, title, and interest for the United States and all foreign countries, in and to any and all improvements that are disclosed in the application for the United States patent that was filed on August 17, 2001 and assigned Application No. 09/932,154 entitled:

**MOBILE ELECTRONIC DEVICE AND COVERING FOR
SIMILAR DEVICES WITH ORNAMENT ATTACHMENT MECHANISM**

and in and to said application and all divisional applications, continuation applications, continued prosecution applications, continuation-in-part applications, substitute applications, renewal applications, reissue applications, reexaminations, extensions, and all other patent applications that have been or shall be filed in the United States and all foreign countries on any of said improvements; and in and to all original patents, reissued patents, reexamination certificates, and extensions, that have been or shall be issued in the United States and all foreign countries on said improvements; and in and to all rights of priority resulting from the filing of said United States application;


agree that said Assignee may apply for and receive a patent or patents for said improvements in its own name; and that, when requested, without charge to, but at the expense of, said Assignee, its successors, assigns, and legal representatives, to carry out

in good faith the intent and purpose of this Assignment, the undersigned will execute all divisional applications, continuation applications, continued prosecution applications, continuation-in-part applications, substitute applications, renewal applications, reissue applications, reexaminations, extensions and all other patent applications on any and all said improvements; execute all rightful oaths, assignments, powers of attorney, and other papers; communicate to said Assignee, its successors, assigns, and representatives all facts known to the undersigned relating to said improvements and the history thereof; and generally assist said Assignee, its successors, assigns, or representatives in securing and maintaining proper patent protection for said improvements and for vesting title to said improvements, and all applications for patents and all patents on said improvements, in said Assignee, its successors, assigns, and legal representatives; and

covenant with said Assignee, its successors, assigns, and legal representatives that no assignment, grant, mortgage, license, or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

3/13/03

Date


Name: G. Eric Engstrom

Assignment Document Return Address:

SCHWABE, WILLIAMSON & WYATT, P.C.
Pacwest Center, Suites 1600-1900
1211 SW Fifth Avenue
Portland, Oregon 97204
Telephone: 503-222-9981

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application for:

Sayuri Doi et al.

Application No.: 09/932,154

Filed: August 17, 2001

For: Mobile Electronic Communication
Device and Covering for Similar
Devices with Ornament
Attachment Mechanism

Examiner: Gary, Erika A.

Art Group: 2685

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on this date: 08/07/2003

Typed or Printed: Heather L. Adamson

Signature: Heather L. Adamson Date: 08/07/2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION IN ACCORDANCE WITH 37 C.F.R §1.47(a)

This petition accompanies a petition under 37 C.F.R §1.48 for a change of inventorship.

Applicant G. Eric Engstrom (hereinafter *Petitioner*) of the above-captioned patent application hereby petition under 37 CFR §1.47(a) to be permitted to change inventorship of the above-captioned patent application in light of inventor Sayuri Doi's refusal to sign the Supplemental Combined Declaration and Power of Attorney properly naming all inventors.

Petitioner respectfully submits that, as originally filed, the above titled application listed, as proper inventorship, Sayuri Doi. Additionally, *Petitioner* respectfully submits that the application, as pending, claims subject matter disclosed in the originally filed application but not claimed. Further, *Petitioner* respectfully submits that the proper

inventorship for the present application in light of the presently claimed subject matter includes G. Eric Engstrom.

Petitioner respectfully submits that Sayuri Doi, who is a named joint inventor in the above-captioned patent application, has refused to sign the Supplemental Combined Declaration and Power of Attorney properly naming all inventors.


The pertinent facts associated with Sayuri Doi's refusal to sign are set forth in the accompanying Declarations and exhibits. Enclosed is a fee as set forth in §1.17(h). The last known address of Sayuri Doi is:

4021 42nd Avenue South
Seattle, WA 98118

In view of the foregoing, early granting of the petition is earnestly requested.

Respectfully submitted,
Schwabe, Williamson & Wyatt, P.C.

Dated: 7 Aug 03



Robert Watt
Registration No. 45,890

Pacwest Center, Suites 1600-1900
1211 SW Fifth Avenue
Portland, Oregon 97204
Telephone: 503-222-9981

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application for:

Sayuri Doi

Application No.: 09/932,154

Filed: 08/17/2001

For: Mobile Electronic Device And
Covering For Similar Devices
With Ornament Attachment
Mechanism

Examiner: Gary, Erika A.

Art Group: 2685

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

**DECLARATION OF FACTS IN SUPPORT OF
PETITION IN ACCORDANCE WITH CFR § 1.47(a)**

I, Maggie Waggoner, hereby declare that

1. I am a resident of Woodinville in King County of the State of Washington.
2. I am an employee of Wildseed, Ltd. (hereinafter "Wildseed") and have been since March 1, 2001. My current title is Paralegal.
3. In connection with my employment at Wildseed, on request of counsel, on or about March 13, 2003, I telephoned the Doi home. I spoke with Sayuri Doi's husband to obtain Sayuri Doi's email address. In addition, I left a message for Sayuri Doi to call me.
4. On or about March 13, 2003, I emailed a Supplemental Combined Declaration and Power of Attorney (hereinafter "Declaration") document to Sayuri Doi for her review and signature (a copy of the email message is attached).
5. On or about March 15, 2003, I left a voice message on the Doi home answering machine asking Sayuri to call me regarding the documents.
6. On or about March 17, 2003, I again emailed Sayuri Doi requesting the status of her review and signature of the Declaration (a copy of the email message is attached).

7. On or about April 1, 2003, I emailed Ty Graham, a good friend of Sayuri Doi, stating that several attempts have been made to contact Suyuri Doi and asking him to speak with her to find out if she is refusing to sign or if there is a problem with the request (a copy of the email message is attached).

8. On or about April 2, 2003, Ty Graham emailed me stating that Sayuri Doi is receiving the messages and that he believed we should treat Sayuri Doi's non-response as her response (a copy of the email message is attached).

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Executed by and on the date as set forth below:

Date: August 6, 2003

Maggie Waggoner
Maggie Waggoner

Adamson, Heather L.

From: Maggie Waggoner [maggiew@wildseed.com]
Sent: Thursday, March 13, 2003 3:20 PM
To: 'si03@attbi.com'
Subject: URGENT Need your signature please
Importance: High

Hi Si: we filed a patent listing you as inventor:

MOBILE ELECTRONIC DEVICE AND COVERING FOR SIMILAR DEVICES WITH ORNAMENT
ATTACHMENT MECHANISM

Eric has added subject matter that necessitates him being added as an additional inventor. As a result, we need you to execute the attached document and fax back to me ASAP at the number below....the deadline is, unfortunately TOMORROW (3-14-03).

Please let me know if you have any questions. I would also appreciate the original signed document to be returned as well.

thanks a lot for your help....hope all is well with you.

Maggie

+++++

Maggie Waggoner

Paralegal

Wildseed Ltd.

voice: 425-202-2716

fax: 425-202-2758

<<WS P023 supplemental decpoa.DOC>>

Adamson, Heather L.

From: Maggie Waggoner [maggiew@wildseed.com]
Sent: Monday, March 17, 2003 3:26 PM
To: 'si03@attbi.com'
Subject: FW: URGENT Need your signature please
Importance: High

Si: Please advise on the status of this request. I would like to have this ASAP
Maggie

-----Original Message-----

From: Maggie Waggoner
Sent: Thursday, March 13, 2003 3:20 PM
To: 'si03@attbi.com'
Subject: URGENT Need your signature please
Importance: High

Hi Si: we filed a patent listing you as inventor:

MOBILE ELECTRONIC DEVICE AND COVERING FOR SIMILAR DEVICES WITH ORNAMENT
ATTACHMENT MECHANISM

Eric has added subject matter that necessitates him being added as an additional
inventor. As a result, we need you to execute the attached document and fax
back to me ASAP at the number below....the deadline is, unfortunately TOMORROW (3-14-03).

Please let me know if you have any questions. I would also appreciate the original signed document to be
returned as well.

thanks a lot for your help....hope all is well with you.

Maggie

+++++

Maggie Waggoner

Paralegal

Wildseed Ltd.

voice: 425-202-2716

fax: 425-202-2758

<<WS P023 supplemental decpoa.DOC>>

Adamson, Heather L.

From: Ty Graham [tyg@oz.net]
Sent: Wednesday, April 02, 2003 2:50 PM
To: 'Maggie Waggoner'
Subject: RE: Si

I don't really want to get in the middle of this. I know Si is getting your mail.

I think you should treat her non-response as her response.

Ty

-----Original Message-----

From: Maggie Waggoner [<mailto:maggiew@wildseed.com>]
Sent: Tuesday, April 01, 2003 5:03 PM
To: Ty Graham (E-mail)
Subject: Si

Hi, I've been trying to reach Si unsuccessfully to get her signature on some patent documents. I talked with her husband who gave me her email address, but she has not responded. I gave her email and phone number to Al's paralegal, and she hasn't been able to reach her either. Can you please talk to her and ask her if there is a problem with our request, or if she just doesn't want to sign the document? She can refuse, which means we need to file other paperwork...no huge deal, but it would be nice to get closure one way or the other.

thanks in advance for your help!
Hope things are going well...I just returned from 10 days in Phoenix with Michael...it was very nice to get away!!!

Maggie

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application for:

Sayuri Doi et al.

Application No.: 09/932,154

Filed: Aug 17, 2001

For: Mobile Electronic Communication
Device and Covering for Similar
Devices with Ornament
Attachment Mechanism

Examiner: Gary, Erika A.

Art Group: 2685

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**DECLARATION OF FACTS IN SUPPORT OF
PETITION IN ACCORDANCE WITH CFR §1.47(a)**


I, Robert Thaddeus Watt, hereby declare that:

1. I am a resident of Tigard, in Washington County, of the State of Oregon.
2. I have been involved with the prosecution of the above-referenced patent application since at least October 3, 2002.
3. On or about August 21, 2002, Sayuri Doi's employment with the assignee, Wildseed, Inc. ended.
4. Sayuri Doi resides in the state of Washington.
5. Sayuri Doi was originally named as the sole inventor the above referenced patent application.
6. Upon addition of claims in the above referenced patent application which were not originally claimed, it was determined that an additional inventor, G. Eric Engstrom, was necessary to reflect proper inventorship.
7. On or about April 3, 2003, I left a voicemail message for Sayuri Doi to contact me regarding the change of inventorship.

8. On or about April 7, 2003, I sent an email in followup to the phone call of April 3, 2002 explaining the change in claims and the need to add G. Eric Engstrom as a result of the additional claims (a copy of the email message is attached).
9. On or about April 16, 2003, a phone conversation occurred between myself and Sayuri Doi. At this time I explained verbally that, due to the addition of claims that contained subject matter contributed by another, it was necessary to add G. Eric Engstrom as an inventor to the present application. Sayuri Doi agreed to review the application and the new claims and to then get back to me as to whether she was in agreement with the addition of the new inventor.
10. On or about April 16, 2003 I sent to Sayuri Doi, via email, a copy of the application as filed and a copy of the claims containing the material requiring the addition of G. Eric Engstrom (a copy of the email message is attached).
11. On or about May 20, 2003 I sent an email to Sayuri Doi requesting a response regarding the addition of G. Eric Engstrom (a copy of the email message is attached)..
12. On or about May 27, 2003 I left a voicemail with Sayuri Doi requesting that she call me regarding the addition of G. Eric Engstrom.
13. On or about July 27, 2003 I sent an email to Sayuri Doi explaining that we were approaching a deadline for filing the paperwork regarding the change of inventorship. I further stated that, unless we heard from her before the end of business on July 29th, we would proceed without her signature (a copy of the email message is attached).

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Executed by and on the date as set forth below:

By: 
Robert Watt

Date: 7 August 2003

Watt, Thad

From: Watt, Thad
Sent: Monday, April 07, 2003 6:07 PM
To: 'si03@attbi.com'
Subject: Patent Application

Sayori,

My name is Robert Watt with Schwabe, Williamson and Wyatt. I left a voicemail at the answering machine associated with the phone number we have of record for you at 206.722-7447 last week, however I did not receive a return call. As a result, I am following up with this email.

As you may or may not know, we represent Wildseed on certain patent matters.

It is my understanding that you are a named inventor on a patent application titled "MOBILE ELECTRONIC DEVICE AND COVERING FOR SIMILAR DEVICES WITH ORNAMENT ATTACHMENT MECHANISM". As a result of a change in the claimed subject matter in this application, it is our understanding that an additional inventor needs to be named on this patent application. That is, the law requires that, based on the subject matter *claimed* in a patent application, the true inventors of the claimed subject matter are required to be named. Claims have been added to claim a substantially curved shaped phone as disclosed in the patent application specification. It is our understanding that G. Eric Engstrom was an co-inventor of the application in the context these additional claims. Resultantly, in order to comply with the proper patent statutes, it is necessary that we add G. Eric Engstrom as an inventor.

There are various requirements for changing the inventors named on a patent application. One requirement is for all the proper inventors to execute a common oath/declaration. As a result, while we do have a procedure to follow in the event that an inventor refuses to sign, we would like ask your cooperation in signing a supplemental declaration to the declaration filed with the original application.

Thus, I would like to request that, regardless of your decision to cooperate in the change of inventor process, would you please be courteous enough to provide a response to our request. I can be reached via return email or by voice at 800.777.4200.

Thanks in advance for your cooperation.

Regards,

Thad

Thad Watt
Schwabe, Williamson & Wyatt
voice 503.796.2492
fax 503.796.2900

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Watt, Thad

From: Watt, Thad
Sent: Wednesday, April 16, 2003 1:41 PM
To: 'si03@attbi.com'
Subject: Mobile Electronic Device and Covering for Similar Devices with Ornament Attachment Mechanism



WS_P023_app_and
_figs.pdf

Sayuri,

It was good talking to you today.

Attached is a PDF file with both the Application and Figures.

Wildseed is interested in adding claims to the application such that the curved phone, as disclosed in Figure 4A of the application, will be claimed material. Thus, we have added the following claims to the pending patent application:

- 42. The covering according to claim 9, wherein the covering is curved.
- 44. The cellular telephone of claim 21, wherein the housing is curved.

Unfortunately, when asking Wildseed about inventorship in light of these added claims, we were informed that the concept of a curved phone/housing was contributed by another individual named G. Eric Engstrom. Thus, as mentioned in our phone conversation, in order to comply with the patent laws which state that the named inventors on a patent application must reflect the persons who actually invented the subject matter of the application *as claimed*, we must add G. Eric Engstrom as a named inventor.

Please review the Application in light of this information. If you are in agreement that G. Eric Engstrom is the proper contributor of the curved phone portion of the invention, a signature from you will be required on a supplemental declaration.

I hope I explained things well enough, if not, feel free to follow up with any other questions you may have.

Regards,

Thad

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Watt, Thad

From: Watt, Thad
Sent: Tuesday, May 20, 2003 5:51 PM
To: 'si03@attbi.com'
Subject: RE: Mobile Electronic Device and Covering for Similar Devices with Ornament Attachment Mechanism

Sayuri,

I want to follow up with you on this change of inventorship for the "Mobile Electronic Device and Covering for Similar Devices with Ornament Attachment Mechanism".

We have not received word from you as to whether you are in agreement with the addition of G. Eric Engstrom to the application in light of the additional claims. Can you please provide us with a response so that we may prepare the appropriate paperwork.

Thanks,

Thad

-----Original Message-----

From: Watt, Thad
Sent: Wednesday, April 16, 2003 1:41 PM
To: 'si03@attbi.com'
Subject: Mobile Electronic Device and Covering for Similar Devices with Ornament Attachment Mechanism

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Attached is a PDF file with both the Application and Figures.

Wildseed is interested in adding claims to the application such that the curved phone, as disclosed in Figure 4A of the application, will be claimed material. Thus, we have added the following claims to the pending patent application:

- 42. The covering according to claim 9, wherein the covering is curved.
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Watt, Thad

From: Watt, Thad
Sent: Sunday, July 27, 2003 12:54 PM
To: 'si03@attbi.com'
Subject: FW: Mobile Electronic Device and Covering for Similar Devices with Ornament Attachment Mechanism

Sayuri,

We did not hear from you on this and our deadline to file is Wednesday the 30th of July. We'll assume that you are not in agreement with the addition of Eric as an inventor in light of the additionally claimed elements, as previous stated, and proceed with the paperwork for a non-signing inventor.

If this is incorrect, please let me know no later than the end of business day Tuesday July 29th.

Regards,

Thad

-----Original Message-----

From: Watt, Thad
Sent: Tuesday, May 20, 2003 5:51 PM
To: 'si03@attbi.com'
Subject: RE: Mobile Electronic Device and Covering for Similar Devices with Ornament Attachment Mechanism

Sayuri,

I want to follow up with you on this change of inventorship for the "Mobile Electronic Device and Covering for Similar Devices with Ornament Attachment Mechanism".

We have not received word from you as to whether you are in agreement with the addition of G. Eric Engstrom to the application in light of the additional claims. Can you please provide us with a response so that we may prepare the appropriate paperwork.

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Subject: Mobile Electronic Device and Covering for Similar Devices with Ornament Attachment Mechanism

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It was good talking to you today.

Attached is a PDF file with both the Application and Figures.

Wildseed is interested in adding claims to the application such that the curved phone, as disclosed in Figure 4A of the application, will be claimed material. Thus, we have added the following claims to the pending patent application:

- 42. The covering according to claim 9, wherein the covering is curved.
- 44. The cellular telephone of claim 21, wherein the housing is curved.

Unfortunately, when asking Wildseed about inventorship in light of these added claims, we were informed that the concept of a curved phone/housing was contributed by another individual named G. Eric Engstrom. Thus, as mentioned in our phone conversation, in order to comply with the patent laws which state that the named inventors on a patent application must reflect the persons who actually invented the subject matter of the application *as claimed*, we must add G. Eric Engstrom as a named inventor.

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